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| <b>INFORMATION DISCLOSURE<br/>STATEMENT</b> | Applicants:          | Chen, et al.  |
|   | Application No.      | Not yet assigned  |
|   | Filed:               | November 13, 2003   |
|   | For:                 | A Stacked Gate Memory Cell With Erase To Gate, Array, And Method Of Manufacturing |
|   | Group Art Unit:      | Not yet assigned  |
|   | Examiner:            | Not yet assigned  |
|   | Attorney Docket No.: | 2102397-992740  |

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| Commissioner of Patents and Trademarks<br>P.O. Box 1450<br>Alexandria, VA 22313-1450   |                                     |   |
| Dear Sir:  |                                     |   |
| In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application. |                                     |   |
| This Information Disclosure Statement:   |                                     |   |
| (a)  | <input checked="" type="checkbox"/> | accompanies a new patent application submitted herewith.  |
| (b)  | <input type="checkbox"/>            | is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; OR   |
| (c)  | <input type="checkbox"/>            | after the period defined in (b) but before the mailing date of a Final Rejection or Notice of Allowance, OR   |
| (d)  | <input type="checkbox"/>            | is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below OR |
| (e)  | <input type="checkbox"/>            | is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee (\$130) set forth in 37 CFR § 1.17(I)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.                  |
| As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:  |                                     |   |
| (f)  | <input type="checkbox"/>            | Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or   |

|     |                          |   |
|-----|--------------------------|---|
| (g) | <input type="checkbox"/> | No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement. |
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It is respectfully requested that each of the references shown on the attached Form PTO-1449 be made of record in this application.

The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. 07-1896.

Respectfully submitted,

Date: November 13, 2003

GRAY CARY WARE & FREIDENRICH LLP

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| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | <b>26379</b> | (Insert Customer No. or Attach bar code label here) |
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*I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL (EV 301144145 US) in an envelope addressed to: Commissioner of Patents & Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450.*

Nov. 13, 2003

Date

Mar. Penique  
Signature

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|---|---|--|--|------------------------------------|
| Form PTO-1449<br>(modified 2/91)<br><b>INFORMATION DISCLOSURE CITATION</b><br>(Use several sheets if necessary) | U.S. DEPT. OF COMMERCE<br>Patent and Trademark Office |  | Attorney Docket Number:<br><b>2102397-992740</b> | Serial Number:<br>Not yet assigned |
|   | Applicants: Chen, et al.                              |  |  |                                    |
|   | Filing date: November 13, 2003                        |  | Group art unit: Not yet assigned                 |                                    |

## U.S. PATENT DOCUMENTS

| Examiner Initial | Patent No. / Application No. | Date     | Name | Class | Sub-class | Filing date if appropriate |
|------------------|------------------------------|----------|------|-------|-----------|----------------------------|
|                  | 5,029,130                    | 07-02-91 | Yeh  |       |           |                            |
|                  |                              |          |      |       |           |                            |
|                  |                              |          |      |       |           |                            |
|                  |                              |          |      |       |           |                            |
|                  |                              |          |      |       |           |                            |
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|                  |                              |          |      |       |           |                            |
|                  |                              |          |      |       |           |                            |
|                  |                              |          |      |       |           |                            |

## FOREIGN PATENT DOCUMENTS

|  | Document number | Date | Country | Class | Sub-class | Translation (Abstract Only) |    |
|--|-----------------|------|---------|-------|-----------|-----------------------------|----|
|  |                 |      |         |       |           | YES                         | NO |
|  |                 |      |         |       |           |                             |    |
|  |                 |      |         |       |           |                             |    |

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| Examiner:  | Date Considered: |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP '609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant. |                  |